Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

2 April 2002

Original: English

First session
New York, 8-19 April 2002

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by New Zealand

Article I

New Zealand views the commitment of nuclear weapon states to non-transfer and other controls under this Article as essential. Suggestions in the recent period that international terrorism was interested in obtaining nuclear explosive devices have underlined the continuing importance of the commitment in changing circumstances.

Article II

New Zealand meets fully its commitment under this Article in all respects. New Zealand obligations through the Non-Proliferation Treaty (NPT) are legislated in the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987. New Zealand concerns about compliance by other non-nuclear weapon states parties to the NPT have been expressed in various forums, for example at the International Atomic Energy Agency (IAEA) General Conference in 2000 and 2001.

Article III

The Safeguards Agreement between the IAEA and New Zealand came into force on 29 February 1972, and the Model Additional Protocol to the Agreement was concluded on 24 September 1998. In 2001 the IAEA assessed New Zealand to be in full compliance with all its safeguard commitments. With no nuclear weapons, no nuclear energy generation, no nuclear reactor and no production of uranium or other relevant material, New Zealand has only very minor activities subject to safeguards.

02-31212 (E) 040402

BEST COPY AVAILABLE

New Zealand applies export controls to materials and dual-use goods which can be used in a nuclear weapon programme. It coordinates these with other members of the Nuclear Suppliers Group, which New Zealand joined in 1994.

Article iV

New Zealand has decided by policy not to use its rights to develop research, production and use of nuclear energy for peaceful purposes. In the context of global negotiations relating to climate change, and in the IAEA, New Zealand points to the long term lack of sustainability of nuclear energy and the continuing risks of pollution and proliferation.

In implementing its national export controls New Zealand seeks to restrict trade related only to unsafeguarded nuclear facilities or nuclear weapon programmes in non-nuclear weapon states.

New Zealand has been active, at the IAEA General Conference in 2000 and 2001 for example, in promoting close attention to the safe transport of radioactive materials and radioactive waste. New Zealand is concerned that there be the highest possible safety standards and that they be applied fully, that coastal and other interested states receive notification in advance of shipments, and that advanced liability arrangements be in place.

Article V

New Zealand took an active part in negotiation of the Comprehensive Test Ban Treaty (CTBT) and ratified the CTBT in March 1999. In New Zealand the Treaty has been enacted in the Nuclear-Test-Ban Act 1999. A ban on nuclear testing is also included in the South Pacific Nuclear Free Zone Treaty and the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987.

New Zealand remains a strong supporter of the Treaty and its Provisional Technical Secretariat in Vienna in the United Nations General Assembly, and in November 2001 at the second Entry-Into-Force Conference for the CTBT which the New Zealand Foreign Minister addressed. New Zealand believes a continued moratorium on all nuclear explosive testing is imperative pending formal entry of the comprehensive test ban into force. In the meantime, New Zealand cooperates with the Provisional Treaty Secretariat in helping to establish the International Monitoring System for the CTBT, with stations in New Zealand itself and in regional partners in the South Pacific.

Article VI

With its partners in the New Agenda, and as Chair of the relevant Subsidiary Body at the 2000 NPT Review Conference, New Zealand has worked hard in recent years to promote negotiations in good faith relating to cessation of the nuclear arms race and to nuclear disarmament. In this context New Zealand draws strength from the 1996 Advisory Opinion of the International Court of Justice on the illegality of the threat or use of nuclear weapons.

In February 2000 the New Zealand Parliament resolved, without dissent:

as a mark of the dawning of the year 2000, to appeal to all fellow member states of the United Nations, and especially the nuclear weapon states, to join with New Zealand in fulfilling the obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

At the United Nations in 2000, New Zealand, with the New Agenda, was a lead sponsor of Resolution 55/33C (*Towards a nuclear-weapon-free world: the need for a new agenda*) which brought key commitments made at the NPT Review Conference into the wider UN context.

In March 2001 New Zealand hosted in partnership with the UN Regional Disarmament Centre for Asia and the Pacific a conference of governments and non-government organisations which considered follow-up to the Review Conference and other issues on the disarmament agenda. The Prime Minister of New Zealand welcomed participants to the conference, and the Minister for Disarmament and Arms Control attended sessions spoke about New Zealand's role in the New Agenda, and chaired a discussion of nuclear free zones.

At the Conference on Disarmament New Zealand has supported the *Amorim proposal* for a programme of work including on nuclear disarmament, fissile materials, and outer space.

Article VII

New Zealand is a full party to the South Pacific Nuclear Free Zone Treaty of 1985 (the Treaty of Rarotonga, also enacted in the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987). All the independent countries of the South Pacific are now covered by the Treaty, and four of the nuclear weapon states (Britain, China, France and Russia) have ratified Protocols giving security assurances to the region. The United States have signed the Protocols.

In recent years New Zealand has worked with Brazil and others to create new links between the nuclear weapon free zones of the Southern Hemisphere.

Article VIII

As mentioned, New Zealand took a very prominent part in the 6th Review Conference of the NPT (New York, April/May 2000) and it will participate fully in preparations for the 7th Review Conference, in 2005.

Article IX

New Zealand continues to emphasise the importance of universalisation of the NPT, for example in bilateral dialogues in 2001 with Cuba and India, and in international forums (especially with New Agenda partners) calling on Cuba, India, Israel and Pakistan. New Zealand expects that these countries will accede to the NPT as non-nuclear weapon states in accordance with Article IX.

Article X

New Zealand joined the consensus decision in 1995 that the NPT be extended indefinitely. The Conference adopted a package of decisions in 1995: strengthening the review process; Principles and Objectives for Nuclear Non-Proliferation and Disarmament; extension of the Treaty; the Resolution on the Middle East, and all these elements remain significant. In New Zealand's view, the extension of the NPT was not a permit for the indefinite possession of nuclear weapons.

Building on this, the 2000 Review Conference agreed on detailed practical steps for systematic and progressive efforts to implement Article VI of the Treaty. The nuclear weapon states gave an unequivocal commitment to achieve the total elimination of their nuclear arsenals - making explicit what had been implicit in the Treaty.

Relevant to article X, the Conference agreed in 2000: "the principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures".